



Attorney Docket No.: 5808.200-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Martin Lehmann

Confirmation No: 4209

Serial No.: 09/488,265

Group Art Unit: 1652

Filed: January 20, 2000

Examiner: D. Ramirez

For: Improved Phytases

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I am an attorney or agent of record for the instant application.

Novozymes A/S and Roche Vitamins Inc, the owners of the entire interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second application no. 09/343,126. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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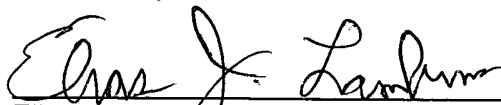
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Please charge the required fee, estimated to be \$110.00, to Novozymes North America, Inc. Deposit Account No. 50-1701. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: September 18, 2003

A handwritten signature in black ink, appearing to read "Elias J. Lambiris", written over a horizontal line.

Elias J. Lambiris, Reg. No. 33,728  
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